

Law Clerk's Copy

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HARRISBURG

JUL 16 2001

MARY E. D'ANDREA, CLERK
Per *[Signature]*
DEPUTY CLERK

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

KEITH CROSBY,	:	
Petitioner	:	Civil No. 1:CV-00-2211
	:	
v.	:	(Judge Kane)
	:	
MICHAEL ZENK,	:	
Respondent	:	

EXHIBITS IN SUPPORT OF RESPONSE TO
PETITION FOR WRIT OF HABEAS CORPUS

MARTIN C. CARLSON
United States Attorney

MATTHEW E. HAGGERTY
Assistant U.S. Attorney
ANITA L. LIGHTNER
Paralegal Specialist
228 Walnut Street, 2nd Floor
P.O. Box 11754
Harrisburg, PA 17108-1754
717/221-4482

Date: July 16, 2001

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CERTIFICATE

I, SHARON GERVASONI, Attorney in the Office of General Counsel, United States Parole Commission, 5550 Friendship Boulevard, Chevy Chase, Maryland, 20815, certify that the attached documents are true copies of documents contained in the parole file of **Keith Tyrone Crosby**, Register Number **29802-066**, reviewed by me on the date stated below.

IN WITNESS WHEREOF, I have signed this 9th day of July, 2001, and have affixed the seal of the United States Parole Commission.

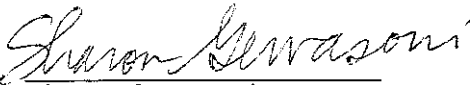

Sharon Gervasoni
Attorney
U.S. Parole Commission



Exhibit 1

PARB1 540*23 *
PAGE 001 *

SENTENCE MONITORING
COMPUTATION DATA
AS OF 05-07-1992

* 05-07-19
* 16:13:53

REGNO...: 29802-066 NAME: CROSBY, KEITH TYRONE

FBI NO.....: 2989M8 DATE OF BIRTH: 05-16-1957
ARS1.....: PET/A-DES
UNIT.....: UNIT 3 QUARTERS.....: CAR HALL
THE FOLLOWING SENTENCE DATA IS FOR THE INMATE'S CURRENT COMMITMENT.
THE INMATE IS PROJECTED FOR RELEASE: 06-02-1992 VIA PRESUM PAR

-----CURRENT JUDGMENT/WARRANT NO: 010 -----

COURT OF JURISDICTION.....: MARYLAND
DOCKET NUMBER.....: JH-85-609
JUDGE.....: HOWARD
DATE SENTENCED/PROBATION IMPOSED: 05-14-1986
DATE WARRANT ISSUED.....: N/A
DATE WARRANT EXECUTED.....: N/A
DATE COMMITTED.....: 06-02-1986
HOW COMMITTED.....: US DISTRICT COURT COMMITMENT
PROBATION IMPOSED.....: NO
SPECIAL PAROLE TERM.....:

	FELONY ASSESS	MISDMNR ASSESS	FINES	COSTS
NON-COMMITTED..:	\$50.00	\$0.00	\$0.00	\$0.00
RESTITUTION....:	PROPERTY: NO	SERVICES: NO	AMOUNT:	\$3,966.45

-----CURRENT OBLIGATION NO: 010 -----

OFFENSE CODE.....: 130
OFF/CHG: 18 USC 924(C)-USE OF FIREARM DURING A CRIME OF VIOLENCE - CT 4
18 USC 2-AIDING AND ABETTING.

SENTENCE PROCEDURE.....: 924(C) FIREARMS - NO PAROLE
SENTENCE IMPOSED/TIME TO SERVE.: 5 YEARS
DATE OF OFFENSE.....: N/A

REMARKS.....: COURT ORDER DATED 8-8-86 AMENDED ORIGINAL J&C DATED 5-14-86
WITH CASE NUMBER JH-85-0608 TO READ JH-85-0609.

PARB1 540*23 *
PAGE 002 *

SENTENCE MONITORING
COMPUTATION DATA
AS OF 05-07-1992

* 05-07-199
* 16:13:53

REGNO...: 29802-066 NAME: CROSBY, KEITH TYRONE

-----CURRENT OBLIGATION NO: 020 -----
OFFENSE CODE.....: 554
OFF/CHG: 18:2113(A)(F)&2-BANK ROBB; A&A-CT1; 18:2113(B)(F)&2-BANK LARC;
A&A-CT2; 18:2113(D)(F)&2-ASSLT W/WEAPON DURING RANK ROBB; A&A.

SENTENCE PROCEDURE.....: 4205(B)(2) IMMEDIATE PE
SENTENCE IMPOSED/TIME TO SERVE.: 20 YEARS
RELATIONSHIP OF THIS OBLIGATION
TO OTHERS FOR THE OFFENDER.....: CS
DATE OF OFFENSE.....: N/A

REMARKS.....: COUNT 1 - 20 YEARS; COUNT 2 - 10 YEARS; COUNT 3 - 20 YEAR
COUNTS 1, 2 & 3 TO RUN CC WITH EACH OTHER AND CS TO 5 YEARS
COUNT 4 IN OBLIGATION 010, TOTALING A SENTENCE OF 25 YEARS.

-----CURRENT JUDGMENT/WARRANT NO: 020 -----
COURT OF JURISDICTION.....: MARYLAND
DOCKET NUMBER.....: JH-85-0608
JUDGE.....: HOWARD
DATE SENTENCED/PROBATION IMPOSED: 08-12-1986
DATE WARRANT ISSUED.....: N/A
DATE WARRANT EXECUTED.....: N/A
DATE COMMITTED.....: 08-12-1986
HOW COMMITTED.....: US DISTRICT COURT COMMITMENT
PROBATION IMPOSED.....: NO
SPECIAL PAROLE TERM.....:

	FELONY ASSESS	MISDMNR ASSESS	FINES	COSTS
NON-COMMITTED..:	\$50.00	\$0.00	\$0.00	\$0.00
RESTITUTION...:	PROPERTY: NO	SERVICES: NO	AMOUNT:	\$0.00

PARB1 540*23 *
PAGE 003 *

SENTENCE MONITORING
COMPUTATION DATA
AS OF 05-07-1992

* 05-07-19
* 16:13:53

REGNO...: 29802-066 NAME: CROSBY, KEITH TYRONE

-----CURRENT OBLIGATION NO: 010 -----
OFFENSE CODE.....: 551
OFF/CHG: BANK ROBBERY; AND AIDING AND ABETTING T 18:2113(A)(F)(2)

SENTENCE PROCEDURE.....: 4205(B)(2) IMMEDIATE PE
SENTENCE IMPOSED/TIME TO SERVE.: 20 YEARS
RELATIONSHIP OF THIS OBLIGATION
TO OTHERS FOR THE OFFENDER.....: CONCURRENT.

-----CURRENT COMPUTATION NO: 010 -----
COMPUTATION 010 WAS LAST UPDATED ON 03-09-1992 AT PET AUTOMATICALLY
THE FOLLOWING JUDGMENTS, WARRANTS AND OBLIGATIONS ARE INCLUDED IN
CURRENT COMPUTATION 010: 010 010, 010 020, 020 010

DATE COMPUTATION BEGAN.....: 05-14-1986
TOTAL TERM IN EFFECT.....: 25 YEARS
TOTAL TERM IN EFFECT CONVERTED...: 25 YEARS
AGGREGATED SENTENCE PROCEDURE....: AGGREGATE GROUP 40

JAIL CREDIT.....: FROM DATE THRU DATE
12-03-1985 05-13-1986

TOTAL JAIL CREDIT TIME.....: 162
TOTAL INOPERATIVE TIME.....: 0
STATUTORY GOOD TIME RATE.....: 10
TOTAL SGT POSSIBLE.....: 3000
PAROLE ELIGIBILITY.....: 03-31-1989
STATUTORY RELEASE DATE.....: 09-15-2002
TWO THIRDS DATE.....: 07-30-2002
180 DAY DATE.....: 06-05-2010
EXPIRATION FULL TERM DATE.....: 12-02-2010

PARB1 540*23 *
PAGE 004 OF 004 *

SENTENCE MONITORING
COMPUTATION DATA
AS OF 05-07-1992

* 05-07-199
* 16:13:53

REGNO...: 29802-066 NAME: CROSBY, KEITH TYRONE

PRESUMPTIVE PAROLE DATE.....: 06-02-1992
NEXT PAROLE HEARING DATE.....: 09-00-1991
TYPE OF HEARING.....: PAROLE PRE-RELEASE REC REV

PROJECTED SATISFACTION DATE.....: 06-02-1992
PROJECTED SATISFACTION METHOD...: PRESUM PAR
REMARKS.....: UPDATED COMPUTATION ON 2-9-91 WITH CORRECT PAROLE AND 2/3
ELIGIBILITY DATES. 2/3 DATE OF 20YR TERM FIGURED FROM 3-31-8
(MR DATE OF NON-PAROLABLE TERM).

S0055

NO PRIOR SENTENCE DATA EXISTS FOR THIS INMATE

Exhibit 2

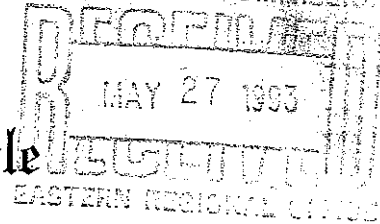
U.S. Department of Justice United States Parole Commission

Chesley Chase, Maryland 20815

U.S. PAROLE COMMISSION



Certificate of Parole



Know all Men by these Presents:

It having been made to appear to the United States Parole Commission that

CROSBY, KEITH, Register No. 29802-066

, a prisoner in the

FCI PETERSBURG

is eligible to be PAROLED, and in that said prisoner substantially observed the rules of the institution, and in the opinion of the Commission said prisoner's release would not depreciate the seriousness of this offense or promote disrespect for the law, and would not jeopardize the public welfare, it is ORDERED by the said United States Parole Commission that said prisoner be PAROLED on

FEBRUARY 2, 19 93; and that said prisoner is to remain within the

limits of MARYLAND until DECEMBER 2, 2010;

Given under the hands and the seal of the United States Parole Commission this 1st day of FEBRUARY, nineteen hundred and 93

UNITED STATES PAROLE COMMISSION.

By

Lauren Price

LAUREN PRICE, SOCIAL SCIENCE TECH.

Initial Risk Category SFS 6

Advisor

Probation Officer CUSPO, DAVID JOHNSON, DISTRICT OF MARYLAND

I have read, or had read to me, the conditions of release printed on the reverse of this certificate and received a the law requires the Parole Commission to revoke my parole if I am found by the Commission to have possessed any illegal controlled substance. I also understand that special conditions may be added or modifications of any condition may be made by the Parole Commission upon notice required by law.

CROSBY, Keith

(Name)

29802-066

(Register Number)

WITNESSED

S. U.S. Probation Officer

(Title)

5-21-93

(Date)

UNITED STATES PAROLE COMMISSION

The above-named person was released on the 2nd day of February, 19 93
with a total of 6512 days remaining to be served.

BY: Jacqueline PorterFOR: CAROLYN V. RICKARDS, WARDEN

(Chief Executive Officer)

PAROLE FORM H-8
JAN 90

CONDITIONS OF RELEASE

1. You shall go directly to the district shown on this CERTIFICATE OF RELEASE (unless released to the custody of other authorities). Within three days after your arrival, you shall report to your parole advisor if you have one, and the United States Probation Officer whose name appears on this Certificate. If in any emergency you are unable to get in touch with your parole advisor, or your probation officer or the United States Probation Office, you shall communicate with the United States Parole Commission, Department of Justice, Chevy Chase, Maryland 20815.

2. If you are released to the custody of other authorities, and after your release from physical custody of such authorities, you are unable to report to the United States Probation Officer to whom you are assigned within three days, you shall report instead to the nearest United States Probation Officer.

3. You shall not leave the limits fixed by this CERTIFICATE OF RELEASE without written permission from your probation officer.

4. You shall notify your probation officer within 2 days of any change in your place of residence.

5. You shall make a complete and truthful written report (on a form provided for that purpose) to your probation officer between the first and third day of each month, and on the final day of parole. You shall also report to your probation officer at other times as your probation officer directs, providing complete and truthful information.

6. You shall not violate any law. Nor shall you associate with persons engaged in criminal activity. You shall get in touch within 2 days with your probation officer or the United States Probation Office if you are arrested or questioned by a law-enforcement officer.

7. You shall not enter into any agreement to act as an "informer" or special agent for any law-enforcement agency.

8. You shall work regularly unless excused by your probation officer, and support your legal dependents, if any, to the best of your ability. You shall report within 2 days to your probation officer any changes in employment.

9. You shall not drink alcoholic beverages to excess. You shall not purchase, possess, use or administer marijuana or narcotic or other habit-forming or dangerous drugs, unless prescribed or advised by a physician. You shall not frequent places where such drugs are illegally sold, dispensed, used or given away.

10. You shall not associate with persons who have a criminal record unless you have permission of your probation officer.

11. You shall not possess a firearm or other dangerous weapons.

12. You shall permit confiscation by your probation officer of any materials which your probation officer believes may constitute contraband in your possession and which your probation officer observes in plain view in your residence, place of business or occupation, vehicle(s) or on your person.

13. You shall make a diligent effort to satisfy any fine, restitution order, court costs or assessment, and/or court ordered child support or alimony payment that has been, or may be, imposed, and shall provide such financial information as may be requested, by your Probation Officer, relevant to the payment of the obligation. If unable to pay the obligation in one sum, will cooperate with your Probation Officer in establishing an installment payment schedule.

14. You shall submit to a drug test whenever ordered by your probation officer.

SPECIAL CONDITIONS: (Applicable only if indicated)

☒ You shall participate as instructed by your probation officer in a program approved by the Parole Commission for treatment of narcotic addiction or drug dependency, which may include testing and examination to determine if you have reverted to the use of drugs.

☐ You shall participate in a community based program for the treatment of alcoholism as directed by your probation officer.

☐ You shall participate in an in-patient or an out-patient mental health program as directed by your probation officer.

☐ You shall reside in and participate in a program of the Community Corrections Center as instructed until discharge by the Center Director, but no later than 120 days from admission.

☒ Other:

**You shall also abstain from
the use of alcohol and/or all
other intoxicants during and
after the course of treatment.**

This CERTIFICATE will become effective on the day of release shown on the reverse side. If the releasee fails to comply with any of the conditions listed above, the releasee may be summoned to a hearing or retaken on a warrant issued by a Commissioner of the U.S. Parole Commission and reimprisoned pending a hearing to determine if the release should be revoked.

Information concerning a releasee under the supervision of the U.S. Parole Commission may be disclosed to a person or persons who may be exposed to harm through contact with that particular releasee if such disclosure is deemed to be reasonably necessary to give notice that such danger exists. Information concerning releasees may be released to a law enforcement agency as required for the protection of the public or the enforcement of the conditions of the release.

Exhibit 3

U.S. DEPARTMENT OF JUSTICE
UNITED STATES PAROLE COMMISSION

WARRANT APPLICATION

ISSUING REGION Eastern Region

Case Of Crosby, Keith

Race Black

Sentence Began 5-14-86; 8-12-86

Original Offense Use of Firearm During a Crime of Violence; Aiding and Abetting

Sentence Length/Type 25 years (aggregate)

District To MD

Violation Date 4-93

Birth Date 5-16-57

District From MD

Transferred To

M.R.

Termination Date 12-2-2010

Date 8-24-93

Reg. No. 29802-066

FBI No. 2988M8

Released 2-2-93

Parole XX

You shall, unless you have been convicted of a new offense, be given a preliminary interview by an official designated by a Regional Commissioner to determine if there is probable cause to believe that you have violated the conditions of your release, and if so, whether to release you or hold you for a revocation hearing.

At your preliminary interview and any subsequent revocation hearing you may present documentary evidence and voluntary witnesses on your behalf, and, if you deny the charge(s) against you, you may request the presence of those who have given information upon which the charges are based. Such witnesses will be made available for questioning unless good cause is found for their non-appearance.

You may be represented by an attorney or other representative of your choice, or, if you are unable to pay for counsel, an attorney will be provided by the U.S. District Court if you fill out and promptly return a Form CJA-22 to a U.S. Probation Officer.

If, after a revocation hearing, you are found to have violated the conditions of your release the Commission may: (1) restore you to supervision, and, if appropriate, (a) reprimand you; (b) modify your conditions of supervision; or (c) refer you to a residential community treatment center for the remainder of your sentence; or (2) revoke your parole or mandatory release, in which case the Commission will also decide when to consider you for further release.

If you have been convicted of a new offense (committed while on parole) which is punishable by a term of imprisonment you will not receive sentence credit for the time you spent on parole. Exception: for cases heard in the 9th Circuit beginning on October 22, 1990, the Commission will exercise discretion, in accordance with 28 C.F.R. 2.52 (Appendix), prior to ordering the forfeiture of sentence credit for the time spent on parole. If the Commission finds that you absconded or otherwise refused to submit to parole supervision, the Commission may order that you not receive credit toward service of your sentence for that amount of time. (If your original sentence was imposed for violation of the District of Columbia Criminal Code, you will not receive credit for time spent on parole regardless of whether or not you have been convicted of a crime.)

A special parole term violator whose parole is revoked shall receive no credit for time spent on parole.

CHARGES:

Charge No. 1a - Armed Bank Robberies

1b - Failure to Notify USPO of criminal involvement

During the period of April through July 1993, subject participated in armed bank robberies in the Baltimore, MD Metropolitan area. Subject was committing the robberies with individuals who were previously incarcerated. Information contained in letter dated 8-10-93 by USPO Dent and FBI Affidavit.

I ADMIT ☒ or DENY ☒ the above charge(s).

Charge No. 2 - Association with person Having a Criminal Record/Engaged in Criminal Activity

During the period of April 1993 through July 1993, subject associated with Tony Wilder and Rodney Scott, persons that both are federal parolees. Information contained in letter dated 8-10-93 by USPO Dent.

I ADMIT ☒ or DENY ☒ the above charge(s).

Charge No. 3 - Use of Dangerous and Habit Forming Drugs

On or about the following dates 6-14-93 and 6-30-93, subject submitted urine specimens which tested positive for the drug specified: Cocaine. Information contained in letter dated 8-10-93 by USPO Dent and Pharmchem lab reports.

I ADMIT ☒ or DENY ☒ the above charge(s).

Charge No. 4 - Violation of Special Condition (DAPS)

On or about the following dates, subject failed to keep regularly scheduled appointments with Universal Counseling for submission of urine specimens/counseling: 4-2-93, 4-7-93, 7-13-93, 7-15-93, 7-21-93, 7-31-93. On 7-31-93, an individual presented himself to the program claiming to be Mr. Crosby. Information contained in letter dated 8-10-93 by USPO Dent.

I ADMIT ☒ or DENY ☒ the above charge(s).

Date Warrant Request Received 8-10-93

Date Warrant Issued 8-24-93

District To Which Sent MD

Preliminary Interview Required: YES ☒ NO ☐ #1

Warrant Recommended By:

Patricia Vines, Case Analyst

U.S. Parole Commission

() Commission () Inmate () Institution () USPO () Interviewing Officer () Chron

U.S. DEPARTMENT OF JUSTICE
UNITED STATES PAROLE COMMISSION

SUPPLEMENT

ISSUING REGION Eastern
Case Of Crosby, Keith
Race Black

Birth Date 5/16/57

Date October 5, 1993
Reg. No. 29802-066
FBI No. 2988M8

CHARGES:

Charge No. 5 - Unauthorized Possession of Firearm (or Other Dangerous Weapon)

On or about 9/1/93, subject was found in possession of a handgun according to USPO Dent letter dated 10/1/93.

I ADMIT [] or DENY [] the above charge(s).

I ADMIT [] or DENY [] the above charge(s).

Date Warrant Issued 8/24/93
District To Which Sent MD

Warrant Recommended By:

Patricia D. Vines, Analyst
U.S. Parole Commission

PDV/sds

() Commission () Inmate () Institution () Supervising USPO () U.S. Probation Officer () Chron

PAROLE FORM H-
Rev. 6/

Exhibit 4

SENT BY: U. S. PROBATION OFFICE ; 8-18-93 ; 2:27PM ;

3019621778-

83014925525;# 2

UNITED STATES DISTRICT COURT

DISTRICT OF MARYLAND

PROBATION OFFICE

DAVID E. JOHNSON
CHIEF U.S. PROBATION OFFICER
SUITE 400
250 W. PRATT STREET
BALTIMORE 21201

PRESIDENTIAL BUILDING
SUITE 600
8626 BELCREST ROAD
HYATTSVILLE 20782

August 10, 1993

PLEASE REPLY TO:
BALTIMORE OFFICE
410/882-4885

U.S. Parole Commission
Eastern Regional Office
5550 Friendship Boulevard, Suite 420
Chevy Chase, Maryland 20815

RE: CROSBY, Keith
Expir. Date: 12/02/2010
Reg. No.: 29802-066
VIOLATION REPORT
WARRANT REQUESTED

Attention: Patricia Vines
Post Release Analyst

Dear Ms. Vines:

The above named was released on parole on February 2, 1993. He was serving a 25 year sentence for Bank Robbery, Assault with a Weapon, Use of a Firearm During a Crime of Violence, Assault with a Weapon and Bank Larceny.

Mr. Crosby has a drug aftercare condition and was referred to Universal Counseling Services. He appeared to be doing well the first few months of his supervision in terms of reporting to the program regularly and regularly submitting urine specimens which tested negative. He has recently submitted urines which have tested positive and he has several stalls.

Our much greater concern is that the FBI has information indicating that Mr. Crosby acted with others in the commission of bank robberies. Two other parolees were arrested by the FBI as they were attempting to make their getaway from a bank robbery. These two parolees are Rodney Scott (aka Yaqub Shaka - Reg. No. 36781-118) and Tony Wilder (Reg. No. 23392-037). Wilder and Crosby served time together at FCI- Petersburg. The FBI has information from two informants that Mr. Crosby participated in the commission of bank robberies with Scott and Wilder. FBI Agent Glenn Graves has submitted an affidavit outlining the evidence against Mr. Crosby. With the preponderance of evidence standard used in parole revocation hearings, we believe that there is sufficient evidence to make a finding that Mr. Crosby committed bank robberies during the period of April through July 1993. Agent Graves has indicated that he would be willing to identify at least one of his informants at a revocation hearing and one or both informants may be able to testify at a revocation hearing.

SENT BY: U. S. PROBATION OFFICE ; 8-18-93 ; 2:28PM ;

3019621778-

83014925525;# 3

Page two - Violation Report
Keith Crosby - Reg. No. 29802-066

We would also like to note that on July 31, 1993, someone other than Mr. Crosby presented himself to Universal Counseling claiming to be Keith Crosby for the purpose of submitting a urine specimen. This person left after he was challenged. Mr. Crosby acknowledged to us that he failed to submit a urine specimen at the program on this date.

We are alleging that the parolee has violated the following conditions of his supervision:

Condition No. Six: "You shall not violate any law. Nor shall you associate with persons engaged in criminal activity. You shall get in touch within 2 days with your probation officer or the United States Probation Office if you are arrested or questioned by any law enforcement agency."

During the period of April 1993 through July 1993, the parolee participated in armed bank robberies in the Baltimore metropolitan area.

Condition No. Ten: "You shall not associate with persons who have a criminal record unless you have permission of your probation officer."

The parolee is a known associate of Tony Wilder and Rodney Scott, both of whom are federal parolees and are suspects in the commission of bank robberies during the period of April 1993 through July 1993. Mr. Wilder had Mr. Crosby's home phone number, indicating that they were associates.

Condition No. Nine: "You shall not drink alcoholic beverages to excess. You shall not purchase, possess, use or administer marijuana or narcotic or other habit-forming or dangerous drugs, unless prescribed or advised by a physician. You shall not frequent places where such drugs are illegally sold, dispensed, used or given away."

On the following dates the parolee submitted urine specimens which tested positive for illicit substances: 6/30/93 (cocaine) and 6/14/93 (cocaine)

Special condition: " You shall participate as instructed by your probation officer in a program approved by the Parole Commission for treatment of narcotic addiction or drug dependency, which may include testing and examination to determine if you have reverted to the use of drugs."

On the following dates the parolee failed to report to Universal Counseling: 4/2/93 (group counseling); 4/7/93 (group counseling); 7/13/93 (missed urine collection); 7/15/93 (missed urine collection); 7/21/93 (missed urine collection); and 7/31/93 (missed urine collection). On 7/31/93, an individual closely resembling Mr. Crosby presented himself to the program claiming to be Mr. Crosby.

SENT BY:U. S. PROBATION OFFICE : 8-18-93 : 2:29PM :

3019621778-

83014925525:# 4

Page two - Violation Report
Keith Crosby - Reg. No. 29802-066

We recommend that the U.S. Parole Commission issue a violator warrant for Mr. Crosby's arrest. Due to the nature of the alleged violation, we recommend that there be a combined preliminary interview and local revocation hearing so that the FBI's evidence can be fully presented and Mr. Crosby, hopefully with the assistance of counsel, can challenge the FBI's evidence. Given the information presented to us, we believe that Mr. Crosby presents a threat to the community and prompt action should be taken.

Very truly yours,



Walter Dent
Sr. U.S. Probation Officer

Enclosures: Lab reports
Report from L. McCall of Universal Counseling Services
Report from FBI Agent Graves

cc: FCI Petersburg

WD

SENT BY: U.S. PROBATION OFFICE ; 8-18-93 ; 2:29PM ;
AUG-17-1993 09:57 FROM BHL:IMUKE

3019621778-

830149255251# 5
FBIA F F I D A V I T

I am employed as a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and have been so employed for over ten years. In that capacity, I am responsible for investigating violent crimes, specifically, the robberies of federally insured financial institutions.

In May, 1993, a confidential informant of the Federal Bureau of Investigation provided information indicating that Keith Tyrone Crosby, aka "Sleepy", was involved in several bank robberies in the Baltimore Metropolitan area. The confidential informant could not provide specific locations regarding the robberies, however, it was reported that Crosby was committing the robberies with persons he had known through incarceration.

On July 16, 1993, Yaqub Shaka and Tony Wilder were arrested subsequent to the same day robbery of the Harbor Federal Savings and Loan Association, 3200 Eastern Avenue, Baltimore, Maryland. The robbery of the Harbor Federal Savings and Loan Association was carried out by three black males. After the three individuals entered the bank lobby, two individuals vaulted the teller counter while the third, brandishing a hand gun, controlled the bank lobby. One of the individuals was able to elude capture.

A review of FBI records indicates that Keith Tyrone Crosby was a confederate of Yaqub Shaka when involved in bank robberies in the middle 1980's. Additionally, FBI records indicate that Crosby and Shaka were incarcerated, at overlapping times, in FCI, Lewisburg.

During July, 1993, an individual cooperating with the United States Government provided direct information indicating that Keith Tyrone Crosby was involved with Yaqub Shaka and Tony Wilder during the April 26, 1993 robbery of the Maryland Permanent Bank and Trust Company, 6515 Reisterstown Road, Baltimore, Maryland. This cooperator would be available for testimony at a future date.


Glenn E. Graves
Special Agent of the FBI

SENT BY: U. S. PROBATION OFFICE ; 8-10-93 ; 12:15PM ;

3019621778-

83014925525:# 7

PHARM CHEM LABORATORIES, INC.

1505-A O'Brien Drive, Menlo Park, CA 94025

CHAIN OF CUSTODY FOR DRUG ANALYSIS**FED PROBATION**Specimen No. **007709640**

Walter Dent
Federal Probation Office
U.S. Courthouse #6.100
101 W. Lombard Street
Baltimore, MD 21201

Federal Probation

Account No. **100390101**

THC

Reason For Test (Check One)

☐ 01 Preemployment☐ 02 Random☐ 03 Post Accident☐ 04 Periodic Medical☐ 05 Reasonable Cause☐ 06 Other Specify: _____

Specimen Type

☐ Urine☐ Blood☐ Urine and Blood

Split Sample (Collect only if required by Client)

☐ Yes☐ No

(This information will appear only on piles 1,3.)

Date Collected

6-30-93

(This information will appear on all copies.)

Social Security #

Remarks Concerning Collection

Temperature

COLLECTOR CERTIFICATION: I certify that the specimen identified on this form is the specimen presented to me by the donor providing the certification below, that it bears the same identification number as set forth above and that it has been collected, labeled and sealed in accordance with the instructions provided.

Collector's Signature

DONOR COMPLETES

DONOR CERTIFICATION AND CONSENT: I certify that the specimen identified on this form is the specimen presented to me by the donor providing the certification below, that it bears the same identification number as set forth above and that it has been collected, labeled and sealed in accordance with the instructions provided. I also consent to the analysis of the specimen and to the release of the results of the analysis to the laboratory and to the release of the results of the analysis to the laboratory and to the release of the results of the analysis to the laboratory.

Donor's Signature or Initials

Apply ►
Barcode
vertically
on bottle



USE SECOND SEAL AND
BARCODE FOR BLOOD
OR SPLIT SAMPLE.

COLLECTOR'S SIGNATURE

PLACE
OVER CAP
OF
SPECIMEN

SPECIMEN NO.

007709640

S

DONOR'S SIGNATURE OR INITIALS

Person Shipping

Airbill #

Date Shipped

Ship
Specimen
To

PharmChem Laboratories, Inc.
1505-A O'Brien Drive
Menlo Park, CA 94025-1435

INSTRUCTIONS TO COLLECTOR

- Complete all unshaded areas of form.
- Affix tamperproof seal and barcode as illustrated.
- Ask donor to sign Donor Certification and Consent and initial/sign tamperproof seal.
- Place specimen and laboratory copy of Chain of Custody form in shipping container.

SENT BY: U. S. PROBATION OFFICE : 8-10-93 : 12:16PM :

3019621778~

83014925525;# 8

1 samples in this transaction.

PHARMCHEM LABORATORIES, INC.
1585-A O'Brien Drive, Menlo Park, CA, 94025LABORATORY
REPORT

ACCOUNT NUMBER:

100390101

BARCODE NUMBER:

0007709640

RESULTS TO:

ATT: Mr. Walter Dent
US Probation Office
250 W Pratt St Ste 400
Baltimore, MD 21201

SPECIMEN ID:

SPECIMEN ID:

SPECIMEN DATE:

06/30/93

TEST TYPE:

LOCATION CODE:

ACCESSION NUMBER:

930545676

DATE RECEIVED:

07/06/93

DATE REPORTED:

07/09/93

Old Acct. No: FP 39A

TEST METHODS AND DETECTION LEVELS

Drug or Drug Class	Initial Test		Confirmation Test	
	Method	CutOff	Method	CutOff
Amphetamines	EMIT	1000 ng/ml	GC/MS	250 ng/ml
Barbiturates	EMIT	200 ng/ml	GC	200 ng/ml
Benzodiazepines	EMIT	200 ng/ml	GC	200 ng/ml
Cocaine Metabolite	EMIT	300 ng/ml	GC	300 ng/ml
Methadone	EMIT	300 ng/ml	GC	300 ng/ml
Opiates	EMIT	300 ng/ml	GC/MS	150 ng/ml
Phencyclidine	EMIT	25 ng/ml	GC/MS	25 ng/ml
Cannabinoid 100	EMIT	100 ng/ml	HPTLC	50 ng/ml

TEST RESULTS

Drug or Drug Class/ Analyte	Test Result	Drug or Drug Class/ Analyte	Test Result
Amphetamines		Cocaine Metabolite	
Amphetamine	negative	Benzoylcegonine	POSITIVE
Methamphetamine	negative	Methadone	
Barbiturates		Methadone	negative
Amobarbital	negative	Opiates	
Butabarbital	negative	Codine	negative
Butalbital	negative	Hydromorphone	negative
Pentobarbital	negative	Morphine	negative
Phenobarbital	negative	Phencyclidine	
Secobarbital	negative	Phencyclidine	negative
Benzodiazepines		Cannabinoid 100	
ACB	negative	THC Metabolite	negative
MACB	negative		

SPECIMEN SEAL INTACT.

COMMENTS:

* TEST RESULT *
* POSITIVE *

I certify that the specimen identified by this accession number is the same specimen that bears the specimen identification barcode number set forth above, that the specimen has been examined upon receipt, handled and analyzed in accordance with applicable requirements, and that these results are for that specimen.

Results Certified by: CHRISTIN CONNOLLY

Date: 07/09/93

SENT BY: U. S. PROBATION OFFICE : 8-10-93 : 12:17PM :

3019621778~

83014925525;# 9

1 samples in this transmission. *Keith Crowley - Det*PHARMCHEM LABORATORIES, INC.
1505-A O'Brien Drive, Menlo Park, CA, 94025LABORATORY
REPORT

ACCOUNT NUMBER:

100391616

BARCODE NUMBER:

0007590595

RESULTS TO:

ATT: Walter Dent
U.S. Probation Office
181 W. Lombard Street
Baltimore, MD 21201

SPECIMEN ID:

SPECIMEN ID:

SPECIMEN DATE:

06/24/93

TEST TYPE:

LOCATION CODE:

ACCESSION NUMBER:

930440576

DATE RECEIVED:

06/16/93

DATE REPORTED:

06/22/93

TEST METHODS AND DETECTION LEVELS

Drug or Drug Class	Initial Test		Confirmation Test	
	Method	CutOff	Method	CutOff
Amphetamines	EMIT	1000 ng/ml	GC/MS	250 ng/ml
Barbiturates	EMIT	200 ng/ml	GC	200 ng/ml
Benzodiazepines	EMIT	200 ng/ml	GC	200 ng/ml
Cocaine Metabolite	EMIT	300 ng/ml	GC	300 ng/ml
Methadone	EMIT	300 ng/ml	GC	300 ng/ml
Opiates	EMIT	300 ng/ml	GC/MS	150 ng/ml
Phencyclidine	EMIT	25 ng/ml	GC/MS	25 ng/ml

TEST RESULTS

Drug or Drug Class/ Analyte	Test Result	Drug or Drug Class/ Analyte	Test Result
Amphetamines		Cocaine Metabolite	
Amphetamine	negative	Benzoylcegonine	POSITIVE
Methamphetamine	negative	Methadone	
Barbiturates		Methadone	negative
Amobarbital	negative	Opiates	
Butobarbital	negative	Codeine	negative
Butalbital	negative	Hydromorphone	negative
Pentobarbital	negative	Morphine	negative
Phenobarbital	negative	Phencyclidine	
Secobarbital	negative	Phencyclidine	negative
Benzodiazepines			
ACB	negative		
MACB	negative		

SPECIMEN SEAL INTACT.

COMMENTS:

THE DATE ON COC IS 06/24/93

* TEST RESULT *
* POSITIVE *

I certify that the specimen identified by this accession number is the same specimen that bears the specimen identification barcode number set forth above, that the specimen has been examined upon receipt, handled and analyzed in accordance with applicable requirements, and that these results are for that specimen.

Results Certified by: CHRISTIN CONNOLLY

Date: 06/22/93

SENT BY: U. S. PROBATION OFFICE : 8-10-93 : 12:15PM :

3019621778-

83014925525:# 6

CONTACT SHEET

CLIENT NAME:

Crosby, Keith

DATE

7-31-93

Urine Screen

" Today someone appeared at the window indicating they wanted to leave a urine specimen. This individual stated that his name was Keith Crosby. However, since I am Keith Crosby's counselor I knew that this was not him. The individual did favor Keith so I was under the impression that it was his brother. I requested that he show me some photo ID. The individual stated that he was going to get his ID and return. He never did.

L. McCall, AC

Exhibit 5

REVOCATION SUMMARY

NAME: CROSBY, Keith
 REGISTER NO. 29802-066
 INSTITUTION: Local-Talbott Det. Ctr.
 DATE: 12/1/93

HEARING TYPE: Revocation
 PROJECTED MR DATE: 3/1/2005
 (If an estimate is practical)
 FULL TERM DATE: 12/2/2010
 PANEL: Walker

I. COUNSEL AND WITNESSES:

Subject was represented by retained Counsel Joan Myles, 6401 Golden Triangle Drive, Suite 450 Greenbelt, Md 20070, (301)474-0261. Adverse witnesses: FBI Agent, Glen Graves, Baltimore, Md. Second Adverse witness USPO Walter Dent, U.S. Probation Office 250 West Pratt Street, Suite 400 Baltimore, Md 21201, (410)962-4665. Third adverse witness, Rodney Scott, U.S. Marshals Cell Block, Baltimore, Md.

II. PREVIOUS COMMISSION ACTION:

Please refer to prereview dated 10/18/93, by Reviewer Chait.

III. REVIEW OF CHARGES:

Charge 1- (a) Armed Bank Robberies

(b) Failure to Notify USPO of Criminal Involvement

During the period of April through July 1993, subject was involved in several Armed Bank Robberies in the Baltimore, Md area. Subject committed these robberies with people who he was previously incarcerated with. Information contained in letter dated 8/10/93 by USPO Dent and FBI affidavit.

Subject denied charges 1 (a) and (b). He commented that he did not commit any robberies or other crimes therefore he does not feel that he violated condition 1(b).

FBI Agent, Glen Graves, advised the panel that he began investigating a series of bank robberies that occurred in April 1993 through July 1993. He indicated that these robberies were different in that there were always three black males with ski masks. One person would count the time out loud to the other robbers in a military like procession. He indicated that in May 1993, an FBI informant indicated that Crosby had participated in these robberies with persons that he had been incarcerated with. Agent Graves noted that after a July 16, 1993 robbery, two persons were apprehended by the name of Rodney Scott (AKA Sharker) and Tony Wilder. He indicated that he was involved in three Bank Robberies in the Baltimore area and that on 4/26/93 during the robbery of the Maryland Permanent and Trust Company, the subject Crosby participated in this robbery along with him and Wilder. Agent Graves noted that during a consent search of Wilder's residence he found some papers with the telephone number where Crosby was residing, at his grandmother's residence, 2826 E. Chase Street, Baltimore, Md. Agent Graves indicated that Scott admitted to three bank robberies and that Crosby was only involved in one of them which occurred on 4/26/93. The video from the Nations Bank, Baltimore County showed a person similar to Crosby carrying a revolver. Agent Graves indicated that it is possible for

Crosby, Keith

subject to have been involved in a third robbery that occurred early August 1993. An informant advised the FBI through conversation with people who are close to Crosby, that Crosby had admitted participated in a robbery prior to the arrest Scott and Wilder.

Charge 1 (b)- Subject denied this charge. Noting that he was not involved in any crimes.

USPO Dent advised that at no time did he report verbally or on written reports any new criminal involvement. Subject for the most part was unemployed. Subject had family in the community but the USPO was unaware of the support that was given if any.

Rodney Scott indicated that he has known the subject for over 12 years. He indicated that he was confined with subject and since he had been on parole he had contact with Crosby about two times a week. He indicated that subject was involved in a robbery with him on 4/26/93.

Charge 2- Association with person having a criminal record/Engaged in criminal activity.

From 4/93 through 7/93, the subject associated with Tony Wilder and Rodney Scott, persons that were on federal parole. Information contained in letter dated 8/10/93 by USPO Dent.

Subject denied this charge with explanation.

Charge 3- Use of dangerous and habit forming drugs.

Urine specimens submitted on 6/14/93 and 6/30/93 reflected the use of drugs (cocaine). The subject admitted this charge with explanation indicating that he was experiencing problems with his 8-year-old son's mother in that he could not see his son in order to begin establishing a relationship with him.

Charge 4- Violation of special condition.

On six occasions from 4/2/92 through 7/31/93, subject failed to report to the Universal Counseling for submission of urine specimen/Counseling.

Charge 5- Unauthorized possession of a firearm or other dangerous weapon.

On 9/1/93, subject was found in possession of a hand gun according to USPO Dent's letter dated 10/1/93.

Subject denied this charge. USPO Dent advised the panel that when the Marshals went in Detective George Cunningham (Sherriff's Department) went to execute the USPC warrant, subject was upstairs in bed with his wife. They observed a bag hanging from under the mattress at which time they recovered a 39 mm handgun and a 9mm magazine containing eight rounds. Subject admitted to charges 3 and 4.

Crosby, Keith

IV. EVIDENCE:

V. FINDINGS OF FACT: The panel finds as a fact that subject violated parole as charged as indicated below:

Charge 1- (a) Armed Bank Robbery.
(b) Failure to notify USPO of criminal involvement.

Basis: Testimony of FBI Agent Graves, adverse witness Rodney Scott, USPO Dent and documentation by U.S. Probation office.

Charge 2- Association with person having a criminal record/Engaged in criminal activity.

Basis: Testimony of FBI Agent Graves, Rodney Scott and documentation submitted by the U.S. Probation Office dated 8/10/93.

Charge 3- Use of dangerous and habit forming drugs.

Basis: Your admission to the examiner panel and documentation submitted by the US Probation office on 8/10/93.

Charge 4- Violation of special condition (DAPS).

Basis: Your admission to the examiner panel and documentation submitted by the US Probation office on 8/10/93.

Charge 5- Unauthorized possession of firearm (or other dangerous weapon).

Basis: Testimony of Agent Graves and documentation submitted by the US Probation office dated 10/1/93.

VI. COMMUNITY RESOURCES AND PAROLE RISK: Upon subject's return to the community he would like to relocate to Richmond, Va where his wife resides. If unable to live there he will return to Baltimore and reside with his grandmother. In reference to employment, subject indicated that he did maintain part-time as a Landscaper. However, he will attempt to obtain employment as a counselor for handicap children.

VII. FINES/RESTITUTION/COURT ASSESSMENT: N/A.

VIII. EVALUATION: Subject was on parole supervision for about 2 months before incurring new criminal behavior. As reflected the subject has a history of committing Armed Robberies. He has two prior juvenile adjudications which were not countable one which involved an assault in which he shot a person. The subject has three countable convictions of the violent behavior dated back to age 16 they all included the use of a gun. The main issue in this case is since there has been no new indictment on his behavior is the credibility of the witnesses involved. Specifically, a long time friend of the subject's Rodney Scott who at today's hearing testified that subject was involved in one bank robbery with him and that he heard the subject discussing a previous bank robbery that subject was

Crosby, Keith

involved in. The prereviewer indicated that subject had a SFS of 5 and further review reflects that subject should have a SFS of 4. Subject was only cited with two convictions but there is a third conviction in which he was charge with Assault with intent to rob and received 10 years. The change would be in section (B) in which he was given one point having two prior commitments but should read three. Giving subject a total SFS of 4 with a offense severity of a 5 and SFS 4 this placed subject's guideline range at 48-60 months. It was recommended 10 months above the top of the guidelines because subject is considered a more serious risk than indicated by his SFS because he has a history of Armed Robbery dating back to 1973 and while on parole for Armed Bank Robbery, he became involved in similar behavior.

IX. **RECOMMENDATION:** (1) Revoke parole. Time spent on parole from 2/3/93 through 8/31/93, shall be credited. Continue to a presumptive parole after service of 70 months (7/1/99) with the special drug aftercare condition.

KW/dma
12/14/93

Exhibit 6

Department of Justice
States Parole Commission
Friendship Boulevard
wy Chase, Maryland 20815

Notice of Action

Name: Crosby, Keith T.

Register Number: 29802-066

Institution: US Marshals, MD

In the case of the above-named parole action was ordered:

Revoke Parole. Time spent from date of release until August 31, 1993 shall be credited. Continue to a Presumptive Parole after the service of 120 months (September 1, 2003) with the special drug aftercare condition.

FINDINGS OF FACT:

The Commission finds as a fact that you violated conditions of release as charged as indicated below:

CHARGE NO. 1(a): Armed Bank Robbery.

1(b): Failure to Notify USPO of Criminal Involvement.

Basis: Testimony of FBI Agent Graves, adverse witness Rodney Scott, USPO Dent and Documentation by U.S. Probation Office.

CHARGE NO. 2: Association with Person having a Criminal Record/Engaged in Criminal Activity.

Basis: Testimony of FBI Agent Graves, Rodney Scott and documentation submitted by the U.S. Probation Office dated 8/10/93.

CHARGE NO. 3: Use of Dangerous and Habit Forming Drugs.

Basis: Your admission to the examiner panel and documentation submitted by the U.S. Probation office on 8/10/93.

CHARGE NO. 4: Violation of Special Condition (DAPS).

Basis: Your admission to the examiner panel and documentation submitted by the U.S. Probation office on 8/10/93.

CHARGE NO. 5: Unauthorized Possession of Firearm (or other Dangerous Weapon).

Basis: Testimony of Agent Graves and documentation submitted by the U.S. Probation office dated 10/1/93.

CC: Joan Myles
6401 Golden Triangle Drive, Suite 450
Greenbelt, MD 20070

Appeals Procedure:

The above decision is appealable to the National Appeals Board under 28 C.F.R. 2.26:

December 16, 1993 Eastern Region

Commissioner: John R. Simpson

Docket Clerk: tpt

* * Commission Copy * *

U.S. Department of Justice
United States Parole Commission
550 Friendship Boulevard
Bethesda, Maryland 20815

Notice of Action

Name: Crosby, Keith T.

Register Number: 29802-066

Institution: US Marshals, MD

In the case of the above-named parole action was ordered:

REASONS:

Your parole violation behavior has been rated as new criminal conduct of Category Five severity because it involved bank robbery. Your new salient factor score is 3. You have been in federal confinement as a result of your violation behavior for a total of 3 months. Guidelines established by the Commission indicate a customary range of 60-72 months to be served before release. After review of all relevant factors and information presented, a decision above the guidelines appears warranted because you are a more serious risk than indicated by your salient factor score in that you have a history of assaultive behavior as evidenced by convictions for assault with intent to rob (1973); Bank Robbery (1978); and Bank Robbery (1986). You were on parole for approximately two months when you became involved in a new robbery offense. When apprehended by the U.S. Marshals you were found to be in possession of a handgun.

As required by law, you have also been scheduled for a statutory interim hearing during December, 1995.

SALIENT FACTOR SCORE (SFS-81): Your salient factor score items have been computed as shown below. For an explanation of the salient factor score items, see the reverse side of this form.

ITEM A[0]; B[0]; C[2] (); D[0]; E[0]; F[1]; Total[3]

*If five or more prior commitments, place an 'x' in the parenthesis in Item C.

Appeals Procedure:

The above decision is appealable to the National Appeals Board under 28 C.F.R. 2.26:

December 16, 1993 Eastern Region

Commissioner: John R. Simpson

Docket Clerk: tpt

* * Commission Copy * *

Exhibit 7

U.S. Department of Justice
 United States Parole Commission
 Chevy Chase, MD 20815

NOTICE OF ACTION ON APPEAL

NAME Crosby, Keith

REGISTER NUMBER

29802-066

INSTITUTION

Lewisburg

NATIONAL APPEALS BOARD/FULL COMMISSION: *The appeal by the above-named has been carefully examined by the National Appeals Board/Full Commission and the following has been ordered:*

Affirmation of the previous decision.

RESPONSE:

The Board has considered your claim that there was insufficient evidence to support the findings that you robbed a bank on April 26, 1993, associated with a person who has a criminal record, and possessed a firearm without proper authorization. However, the record reveals considerable support for the Regional Commissioner's findings.

With regard to the first two findings, Rodney Scott testified at the hearing that you joined him in committing the bank robbery and that he had been in contact with you several times a week while on parole. FBI Agent Graves testified that an informant had told him in May, 1993 that you had participated in several bank robberies with persons you had been incarcerated with. According to the probation officer's August 10, 1993 violation report (including the affidavit of Agent Graves), you have been incarcerated with Mr. Scott and Tony Wilder, the third suspect in the April 26, 1993 robbery. According to Agent Graves's affidavit, FBI records showed that you and Mr. Scott committed bank robberies together in the 1980's. Agent Graves also testified that a search of Wilder's residence revealed a paper containing your nickname and the telephone number of your grandmother's residence, the place where you were staying.

With regard to the third finding, Probation Officer Dent testified that he was informed that at the time of your arrest, a handgun and ammunition were found in a bag hanging under a mattress on which you and your wife were reclining. Agent Graves also testified about this charge at the hearing, but only stated what a law enforcement officer told him about the seizure of the weapon. Although the officer who discovered the handgun and ammunition (Officer Cunningham) was not present to testify at the hearing, you made no request for the attendance of this witness, or any other adverse witness, for your revocation hearing, as evidenced by the Parole Form F-2 that you completed after your preliminary interview. According to the tape of the hearing, Officer Cunningham could not attend the revocation hearing because he had to testify in court on another case.

All decisions by the National Appeals Board/Full Commission on appeal are final.

July 27, 1994

X

(Date of Notice)

(National Appeals Board)

(Full Commission)

(Docket Clerk)

() Inmate

() Institution

() U.S. Probation Officer

☒ Commission

() FOIA

U.S. Department of Justice
 United States Parole Commission
 Chevy Chase, MD 20815

NOTICE OF ACTION ON APPEAL

NAME Crosby, Keith
 REGISTER NUMBER 29802-066 INSTITUTION Lewisburg

NATIONAL APPEALS BOARD/FULL COMMISSION: *The appeal by the above-named has been carefully examined by the National Appeals Board/Full Commission and the following has been ordered:*

The Board has considered your claim that much of the information supporting the above findings is hearsay. But hearsay reports may be considered by the Commission in making revocation decisions. Also, Mr. Scott's testimony is not subject to exclusion on the asserted ground that he was not authorized by the Commission to act as an informant for the FBI. Scott was not acting in an undercover capacity when he told the FBI of your participation in the bank robbery. He provided the information in debriefings after his own arrest for bank robbery in July, 1993. Even if Scott had been an active undercover informant while on parole without authorization from the Commission, any information he provided law enforcement authorities could properly be used by the Commission in its proceedings and would not be subject to exclusion.

All decisions by the National Appeals Board/Full Commission on appeal are final.

July 27, 1994
 (Date of Notice)

X
 (National Appeals Board)

(Full Commission)

lca
 (Docket Clerk)

() Inmate

() Institution

() U.S. Probation Officer

() Commission

() FOIA

Exhibit 8

U.S Department of Justice
United States Parole Commission
5550 Friendship Boulevard
Chevy Chase, Maryland 20815-7201

Notice of Action

Name: CROSBY, Keith Tyrone

Register Number: 29802-066

Institution: Lewisburg USP

In the case of the above-named parole action was ordered:

No Change in Continue to a Presumptive Parole date (September 1, 2003) with the Special Drug Aftercare Condition. You shall participate as instructed by your U.S. Probation Officer in a program approved by the Parole Commission for the treatment of narcotic addiction or drug dependency, which may include testing and examination to determine if you have reverted to the use of drugs. You shall also abstain from the use of alcohol and/or all other intoxicants during and after the course of treatment.

REASONS:

Retroactivity does not apply. Neither your recalculated severity rating (old Category Five; new Category Five) nor your recalculated salient factor risk category (old Category Poor, old score 3; new Category Poor, new score 3) is more favorable. This statement means that a finding has been made by the Parole Commission at your hearing that no regulatory or procedural changes have been made by the Parole Commission since your last hearing which would positively affect your case in terms of Offense Severity or Salient Factor Scoring.

Appeals Procedure:

The above decision is appealable to the National Appeals Board under 28 C.F.R. 2.26:

January 18, 1996 Eastern Region

Commissioner: John R. Simpson

Docket Clerk: dlw

dlw

Exhibit 9

U.S. Department of Justice
United States Parole Commission
5550 Friendship Boulevard
Chevy Chase, Maryland 20815-7201

NOTICE OF ACTION ON APPEAL

NAME: Crosby, Keith

REG. NO. 29802-066

INST: Lewisburg USP

The National Appeals Board examined the appeal of the above named and ordered the following:

Affirmation of the previous decision.

RESPONSE:

The purpose of an interim hearing is only to determine whether there is any new information since the last hearing that warrants a change in the Commission's previous decisions. You have not provided any new substantial information about the circumstances of your parole revocation that indicates that the decision was in error or that unfair procedures were used in the decision-making process. The revocation decision and the procedures leading up to the revocation order were thoroughly reviewed by the Board in July, 1994 and no prejudicial error was found. You failed to request the attendance of adverse witnesses for your revocation hearing and there was good cause for the absence of Officer Cunningham since he was testifying in another case at the time of your hearing.

The same information was not counted twice in determining your salient factor score and in exceeding your guidelines. It was the nature of your criminal record that led to the decision above the guidelines, rather than the mere number of your prior convictions. The salient factor score does not take into account the nature of an offender's prior convictions.

All decisions by the National Appeals Board on appeal are final.

November 1, 1996

National Appeals Board

Docket Clerk: DMJ

Exhibit 10

J.S. Department of Justice
United States Parole Commission
1550 Friendship Boulevard
Chevy Chase, Maryland 20815-7201

Notice of Action

Name: CROSBY, Keith Tyrone

Register Number: 29802-066

Institution: Lewisburg USP

In the case of the above-named, the following parole action was ordered:

Rescind Presumptive Parole date of 9/01/2003. Continue to a Presumptive Parole (8/31/2004) with the Special Drug Aftercare Condition. You shall participate as instructed by your U.S. Probation Officer in a program (inpatient or outpatient) approved by the U.S. Parole Commission for the treatment of narcotic addiction or drug dependency, which may include testing and examination to determine if you have reverted to the use of drugs. You shall also abstain from the use of alcohol and/or all other intoxicants during and after the course of treatment.

The above decision requires the additional service of 12 months.

The above decision is appealable to the National Appeals Board under 28 C.F.R. 2.26.

REASONS:

Retroactivity does not apply. Neither your recalculated severity rating (old Category Five; new Category Five) nor your recalculated salient factor risk category (old Category Poor, old score 3; new Category Poor, new score 3) is more favorable. This statement means that a finding has been made by the Parole Commission at your hearing that no regulatory or procedural changes have been made by the Parole Commission since your last hearing which would positively affect your case in terms of Offense Severity or Salient Factor Scoring.

FINDINGS OF FACT:

The Commission finds that you have committed the following violations:

Charge No. 1 - You used morphine on 6-13-1996.

Basis: Incident Report dated 7-15-1996, Summary Report of DHO dated 7-29-1996 and your admission to examiner.

Charge No. 2 - You used morphine on 6-26-1996.

Basis: Incident Report dated 7-24-1996, Summary Report of DHO dated 7-29-1996 and your admission to examiner.

Charge No. 3 - You used morphine on 7-31-1996.

Date: December 22, 1997

Clerk: dlw

Basis: Incident Report dated 9-04-1996, Summary Report of DHO dated 9-09-1996 and your admission to examiner.

REASONS:

You have committed rescission behavior classified as administrative. Guidelines established by the Commission indicate a range of 0-8 months per drug-related infraction. You have committed 3 drug-related infractions. Your aggregate guideline range is 0-24 months to be added to your original presumptive parole date (9/01/2003). After review of all relevant factors and information presented, a decision outside the guidelines at this consideration is not found warranted.

As required by law, you have also been scheduled for a statutory interim hearing during December 1999.

cc: U.S. Probation Officer
District of Maryland
250 West Pratt Street
Suite 400
Baltimore, MD 21201

Exhibit 11



Memorandum

EXPEDITE

Subject
REQUEST FOR REOPENING
TO CONSIDER 2.28(a) LETTER

Date
February 17, 1998

CROSBY, Keith #29802-066

To

John R. Simpson
Commissioner

From

Michael A. Stover
General Counsel

SAG
By: Sharon Gervasoni
Attorney

This is a case in which a key revocation witness later recanted his testimony at the revocation hearing. Crosby requested reopening under 2.28(a), and his letter was apparently filed without review. He subsequently received a statutory interim hearing, but the record is not clear whether the 2.28(a) request was reviewed in review of the file after that hearing.

Background

Crosby was paroled from a 25 year sentence for bank robbery on February 2, 1993. On parole, he was implicated in new robberies between April and July, 1993, and the Commission issued a warrant charging, inter alia, bank robbery.

At a local revocation hearing, the Commission heard testimony from the three witnesses regarding Crosby's alleged participation in bank robberies. The FBI agent testified that he had been investigating a series of bank robberies in the Baltimore area between April and July 1993, which were distinctive in that they were committed by three black males in ski masks, one of whom would count out time aloud to the other robbers. He testified that in May, 1993 an FBI informant stated that Crosby had participated in these robberies with persons with whom he had been incarcerated. He testified that after a July 16, 1993 robbery, two persons were apprehended (Rodney Scott and Tony Wilder). He stated that Scott admitted to committing three robberies, and stated that Crosby had participated in a robbery on April 26, 1993. He noted that during a consent search of Wilder's home, he found papers with the telephone number of Crosby's grandmother's residence, where Crosby was residing. Rodney Scott then testified that he had known Crosby for 12 years, had been incarcerated with him, and that Crosby had participated in the April 26, 1993 robbery with Scott.

The Commission found Crosby to have violated parole by committing bank robbery (and other violations), and ordered that he serve 120 months, a date above his guideline

range of 60-72 months, finding that he posed a more serious risk because of his history of assaultive behavior, the fact that he became involved in a new robbery after only two months on parole, and the fact that he was in possession of a handgun when apprehended by U.S. Marshals on the Commission's warrant.

On May 27, 1997, Crosby sent to the Commission a letter requesting reopening of his case, based on new favorable information. The new information was an affidavit from Rodney Scott stating that Scott had made false statements to the Commission concerning Crosby, to wit: that Scott committed a bank robbery on April 26, 1993 at Maryland Permanent Bank and Trust Co.; and that Scott was personally aware of Crosby being involved in bank robberies. It appears that this letter was not reviewed for potential reopening.

Recommendation

I recommend that you review the letter and affidavit of Scott, and make a determination whether you find the affidavit or Scott's earlier testimony (and admission to the FBI that he committed the April 26, 1993 robbery he disavows in the affidavit) to be more credible.

My view is that the affidavit lacks credibility, because Scott claims he was only saying what he thought the examiner wanted to hear, but he had also admitted to the FBI his participation in the April 26 robbery, and had told the FBI that Crosby had participated in that robbery. In addition, other evidence links Crosby to Scott and Wilder (the third robber), specifically a piece of paper found during a search of Wilder's home with Crosby's phone number on it, and the information provided by an FBI informant (testified to by the FBI agent) that Crosby had participated in the robberies with persons he had been incarcerated with. (Crosby had been incarcerated with Scott.) I therefore recommend against reopening.

✓

Agree - no reopening

Jan R. Simpson
Signature

2/17/98
Date

Disagree - reopen under §2.28(a)

Signature

Date

Exhibit 12

AFFIDAVIT

1. I am Rodney Scott A/K/A Yaku Shakka.

2. I made the following untrue or false statements to the Federal United States Parole Commissioner concerning Keith T. Crosby, registration number 29802-066:

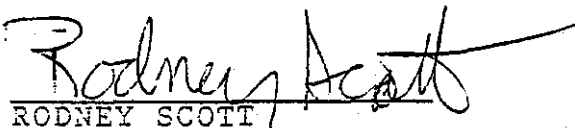
(A) That I participated in a bank robbery on April 26, 1993, at the Maryland Permanent Bank & Trust Company at 6515 Reistertown Road, Baltimore, Maryland.

(B) That I was personally aware of Keith T. Crosby being involved in bank robberies.

3. I made the above untrue statements based upon what I thought the examiner wanted to hear.

I am signing this statement voluntarily. I have not been paid, promised any favors or forced to recant or change my statements from made during the parole examination.

I understand that the above admissions my subject me to perjury charges and imprisonment.


RODNEY SCOTT

Subscribed, sworn and acknowledged before me this 12 day of May, 1997, by Rodney Scott.

NOTARY PUBLIC

My commission expires: _____


 5-12-97
_____, Case Manager
Authorized by the Act of July 7,
1955, as amended to administer
oaths (18 USC 4004).

EXHIBIT - 13

SIH/REVIEW HEARING SUMMARY

Offense of Conviction - Armed Bank Robbery; Possession of a Firearm During a Crime of Violence; Assault During a Crime of Violence; PV.

Name	:CROSBY, Keith	2/3 or MR Date	:3/2/2005
Reg No	:29802-066	Projected MR Date . . .	:3/3/2004
Hearing Date . . .	:12/6/99	Full Term Date	:12/2/2010
Institution	:Allenwood FCI	Months in Custody . . .	:75
Examiner	:Patricia L. Denton	As Of . . .	:12/6/99

Recommended Release

I. Previous Commission Action:

See the Pre-Hearing Assessment dated 11/24/99.

II. Codefendants:

None

III. Institutional Adjustment And Release Plans:

The subject had been at Lewisburg and had been involved in the Twelve Step Drug Program there. He stated that he has been at Allenwood for approximately 1 year. He was in the 2 month Mentoree Program and then took the 90 day Mentor Program. He was in the Softball League, took Transcending Addiction and completed that course, completed Aids Awareness, Cage Your Rage and is the Suicide Watch Team. He stated that he has been on the Suicide Watch Team since 1987. He has been assigned to UNICOR at Allenwood in Wood Working as Grade 2. He stated that all together he has been in UNICOR since 1997.

The subject has no misconduct reports.

He plans to reside with his grandmother who is in good health in Baltimore. He would either like to work with juveniles or use his license as a barber.

IV. Fines, Restitution, Court Assessment:

None

V. Representative:

Initially, the subject did not request a representative. He did indicate that he wanted his Unit Manager, however, his unit manager could not stay and provided a statement prior to the hearing. The subject did agree that the Unit Manager could talk to the examiner prior to the hearing and expressed his comments off the record. The subject also agreed to this during the hearing.

Carl Stevens, Unit 4 Manager. He stated that he had known the subject since 1979. He stated that he has been involved in programming and has been responsible and used his time constructively. He feels that the subject will do okay in the community. His institutional adjustment is good, he has been in the Mentor Program and has become a mentor to his peers.

VI. Risk:

The subject is a more serious risk. He was initially sentenced for 4 bank robberies with firearms. While he was on a previous period of parole supervision, he had additional bank robberies and possession of a firearm.

VII. Evaluation:

The subject was initially serving a 25 year term for Armed Bank Robbery and Possession of a Firearm during a crime of violence and Assault With a Weapon During a Bank Robbery. The subject and the codefendants would enter the bank and the subject brandish a firearm during each robbery. In the first robbery, he held a customer inside the bank when she attempted to leave and during the second robbery, he cocked his gun and pointed it directly at an employee and ordered the employee to stand up after the employee had fallen to the floor. He was released to parole supervision in 1993. Within 6 months a warrant was issued for new law violation, bank robberies and possession of a firearm. He was originally given a presumptive parole date after 120 months on 9/1/2003.

At his last SIH, he had 3 drug related misconducts. The Commission reopened and retarded the presumptive parole date by an additional 12 months which resulted in a presumptive parole date of 8/31/2004.

In addition, the subject did request that his case be reopened for new information in 1998 and the Commission declined. Apparently, one of the witnesses that testified at the hearing may have provided false information either at the hearing or later. Testimony from this witness had been taken at the hearing and after a review of the record it was determined that reopening the case was not warranted.

The subject requested consideration for Superior Program Achievement (SPA) at this hearing. Although the subject has completed several programs since his last hearing, it is this examiner's opinion that it does not rise to the level of SPA. In addition, at his last hearing, he was sanctioned for 3 drug related misconducts. Although he has participated in some programs, to advance the presumptive parole date at this juncture would depreciate the seriousness of the misconducts he was sanctioned for at the last hearing. Based on these two issues, the examiner is recommending that SPA not be granted in this case in that it is not warranted. Retroactivity does not apply.

In addition, the subject is receiving extra good time. A review of the sentence computation revealed that his mandatory release date is now 3/3/2004. This would release him prior to the presumptive parole date. It is recommended that the subject be continued to the presumptive parole on 8/31/2004 or CTE whichever comes first with the special drug aftercare condition.

VIII. Recommendation:

- (1) No change in continue to presumptive parole 8/31/2004 or CTE whichever comes first with the special drug aftercare condition.

GTT

December 14, 199

EXHIBIT - 14

U.S. Department of Justice
United States Parole Commission
50 Friendship Boulevard
Covey Chase, Maryland 20815-7201

Notice of Action

Name: CROSBY, Keith Tyrone

Register Number: 29802-066

Institution: Allenwood FCI

In the case of the above-named, the following parole action was ordered:

no change in presumptive parole date (August 31, 2004) or continue to expiration, whichever comes first, with the Special Drug Aftercare Condition which requires that you participate as instructed by your U.S. Probation Officer in a program (inpatient or outpatient) approved by the U.S. Parole Commission for the treatment of narcotic addiction or drug dependency, which may include testing and examination to determine if you have reverted to the use of drugs. You shall also abstain from the use of alcohol and/or all other intoxicants during and after the course of treatment.

REASONS:

Retroactivity does not apply. Neither your recalculated severity rating (old Category Five; new Category Five) nor your recalculated salient factor risk category (old Category Poor, old score 3; new Category Poor, new score 2) is more favorable. This statement means that a finding has been made by the Parole Commission at your hearing that no regulatory or procedural changes have been made by the Parole Commission since your last hearing which would positively affect your case in terms of Offense Severity or Salient Factor Scoring.

The above decision is appealable to the National Appeals Board under 28 C.F.R. 2.26. You may obtain appeal forms from your caseworker or U.S. Probation Officer and they must be filed with the Commission within thirty days of the date of this Notice.

As required by law, you have also been scheduled for a statutory interim hearing during December, 2001.

Copies of this Notice are sent to your institution and to your U.S. Probation Officer. In certain cases, copies may also be sent to the sentencing court. You are responsible for advising any others you wish to notify.

cc: U.S. Probation Office
District of Maryland
250 West Pratt Street
Suite 400
Baltimore, MD 21201-2423

Date: December 29, 1999

Clerk: tct

TCT

EXHIBIT - 15

Docket as of December 30, 1999 10:35 pm

Web PACER (v2.3)

U.S. District Court
Middle District of Pennsylvania (Harrisburg)
CIVIL DOCKET FOR CASE #: 97-CV-1112

Crosby v. True

Filed: 07/22/97
Assigned to: Judge Yvette Kane
Referred to: Pro Se Law Clerk Mary Schimelfenig
Demand: \$0,000
Nature of Suit: 530
Lead Docket: None
Jurisdiction: US Defendant
Dkt# in other court: None
Cause: 28:2241 Petition for Writ of Habeas Corpus

KEITH CROSBY
petitioner

Keith Crosby
29802-066
[COR LD NTC] [PRO SE]
FCI-ALLENWOOD
P.O. Box 2000
White Deer, PA 17887

v.
PAGE TRUE
respondent

Dulce Donovan
[COR LD NTC]
U. S. Attorney's Office
308 Federal Building
240 West Third Street, P.O. Box
548
Williamsport, PA 17703
717-326-1935
Dulce Donovan
[COR LD NTC]
U.S. Attorney's Office
228 Walnut Street
P.O. Box 11754
Harrisburg, PA 17108
(717) 221-4482

DOCKET PROCEEDINGS

DATE	#	DOCKET ENTRY
7/22/97	1	PETITION FOR WRIT OF HABEAS CORPUS filed by Federal prisoner. (ao) [Entry date 07/22/97]
7/22/97	1	APPLICATION by petitioner Keith Crosby to proceed ifp. (ao) [Entry date 07/22/97]
7/22/97	--	PRISONER LETTER issued as to petitioner Keith Crosby with Notice and Consent Form (ao) [Entry date 07/22/97]
7/22/97	--	REMARK - Case file with docket sheet to PRSLC. Docket sheet to Judge Caldwell. (ao) [Entry date 07/22/97]
9/4/97	2	ORDER by Judge William W. Caldwell IT IS HEREBY ORDERED THAT the petitioner is granted temp leave to proceed ifp, within 10 days shall return authorization form. see order for details. [1-1] (cc: Court, Warden, Petitioner) all counsel) (ct) [Entry date 09/05/97]
9/5/97	--	REMARK - document 2 to PRSLC. (ct) [Entry date 09/05/97]
9/12/97	3	APPLICATION by petitioner Keith Crosby to proceed IFP. (jh) [Entry date 09/15/97]
9/12/97	4	AUTHORIZATION allowing prison to submit copy of prisoner's trust fund account to the court, and approving entire filing fee to be deducted from prisoner inmate account. (jh) [Entry date 09/15/97]
9/15/97	5	ADMINISTRATIVE ORDER sent to Prison Superintendent/Warden as to petitioner Keith Crosby (cc: Superintendent/Warden, prisoner, Financial) (jh) [Entry date 09/15/97]
9/15/97	--	REMARK - Documents 3, 4 & 5 sent to PRSLC. (jh) [Entry date 09/15/97]
9/18/97	6	ORDER by Judge William W. Caldwell IT IS HEREBY ORDERED THAT the administrative order issued 9/15/97 is vacated and any sums deducted are refunded to the prisoner. The Clerk of Court is directed to serve a copy of this order on the warden at USP-Lewisburg. (cc: Court, Financial, Warden, and all counsel) (ct) [Entry date 09/24/97]
9/24/97	--	REMARK - document 6 to PRSLC. (ct) [Entry date 09/24/97]
11/7/97	7	LETTER to court from petitioner dtd. 11/3/97, requesting an update on the status of the case. (tm) [Entry date 11/07/97]
11/7/97	--	REMARK - doc. #7 to PSLC (tm) [Entry date 11/07/97]
11/13/97	8	AFFIDAVIT of Sherry Lester, Acct Tech at USP Lewisburg stating pltf Crosby has \$1.62 in prison acct with acct listing attached. (ao) [Entry date 11/13/97]
11/13/97	--	REMARK - Doc #8 to PRSLC. (ao) [Entry date 11/13/97]
11/28/97	9	LETTER to Clerk from petitioner Keith Crosby re: disposition of civil action and request for status report. (ct) [Entry date 12/01/97]

12/1/97 -- REMARK - document 9 to PRSLC (ct) [Entry date 12/01/97]

12/1/97 10 LETTER to court dtd 11/26/97 from Elaine Peebles, Accting Technician at USP Lewisburg with acct statement attached of pltf Crosby. (ao) [Entry date 12/01/97]

12/1/97 -- REMARK - Doc #10 to PRSLC. (ao) [Entry date 12/01/97]

12/16/97 11 ORDER - by Judge William W. Caldwell: AND NOW, this 16th day of Dec., 1997, the Clerk of Crt. is directed to transfer the w/in case to the Hon. A. Richard Caputo for future proceedings. Sched. orders issued to dt. are not affected by this order. Case reassigned to Judge A. R. Caputo (cc: all counsel, PRSLC & Crt.) (am) [Entry date 12/17/97]

12/17/97 -- REMARK - Doc. No. 11 sent to Schimelfenig. (am) [Entry date 12/17/97]

1/7/98 12 ORDER by Judge A. R. Caputo - Petnr shall either: a. make pymt of \$5.00. b. request an extension of time in which to make pymt. c. explain why he lacks sufficient funds to make pymt. d. special circumstances he believes warrant excusing him from paying the \$5.00 fee. If petnr fails to respond w/in 20 days, his motion to proceed ifp will be denied and the action dismissed. (cc: petnr) (ao) [Entry date 01/07/98]

1/7/98 -- REMARK - Doc #12 to PRSLC> (ao) [Entry date 01/07/98]

1/21/98 13 LETTER from court to plaintiff w/ copy of docket sheet. (ps) [Entry date 01/21/98]

1/27/98 14 RECEIPT Receipt #: 333 70507 Amount: \$5.00 From: Keith T Crosby Purpose: H/C Filing Fee (ta) [Entry date 01/27/98]

1/27/98 -- REMARK - Doc 14 to Prslc (ta) [Entry date 01/27/98]

1/28/98 15 ORDER TO SHOW CAUSE: by Judge A. R. Caputo - 1. The Clerk of Ct is directed to serve a copy of the petition for writ of habeas corpus on respdt and the US Atty. 2. W/in 20 days respdts shall respond to petition due 2/17/98 for Page True. A determination whether petnr should be produced for a hearing will be held in abeyence pending submission of a response. Petnr shall, if desires, file a reply to the response w/in 15 days of its filing. (cc: petnr, US Atty & respdt) (ao) [Entry date 01/29/98]

2/17/98 16 MOTION by respondent Page True to extend time to file response to Court's show cause Order 1/28/98; C/S; Propo. (vg) [Entry date 02/18/98]

2/18/98 -- REMARK - Doc. #16 to PRSLC. (vg) [Entry date 02/18/98]

2/20/98 17 ORDER by Judge A. R. Caputo granting respdt's motion to extend time to file response to Court's show cause Order until 3/3/98 for Page True (cc: petnr & all counsel) (ao) [Entry date 02/20/98]

2/20/98 -- REMARK - Doc #17 to PRSLC. (ao) [Entry date 02/20/98]

3/3/98 18 RESPONSE by respondent Page True to Show Cause Order; exhibits; c/s (kf) [Entry date 03/03/98]

3/3/98 -- REMARK - Doc 18 to PRSLC Schimelfenig from Wmspt (kf) [Entry date 03/03/98]

3/12/98 19 LETTER to court dtd 3/5/98 from petitioner Keith Crosby RE: Advise on time to respond to reply filed by respdt. (ao) [Entry date 03/12/98]

3/12/98 -- REMARK - Doc #19 to PRSLC. (ao) [Entry date 03/12/98]

3/13/98 20 LETTER from Court dtd 3/13/98 RE: Responding to pltf's ltr to ct and proper procedure for filing motions. (ao) [Entry date 03/16/98]

3/16/98 -- REMARK - Doc #20 to PRSLC. (ao) [Entry date 03/16/98]

3/20/98 21 RESPONSE by petitioner Keith Crosby to Opposition to Show Cause filed by deft with Cert of Service. (ao) [Entry date 03/23/98]

3/23/98 -- REMARK - Doc #21 to PRSLC. (ao) [Entry date 03/23/98]

10/26/98 22 LETTER to court dtd 10/22/98 from petitioner RE: Status of case. (ao) [Entry date 10/26/98]

10/26/98 -- REMARK - Doc #22 to PRSLC. (ao) [Entry date 10/26/98]

11/20/98 23 MEMORANDUM OF LAW by petitioner Keith Crosby in support of Writ of Habeas Corpus with Cert of Service. (ao) [Entry date 11/20/98]

11/20/98 24 REQUEST by petitioner Keith Crosby for Judicial Notice of "Parole Commission Phaseout Act" with Cert of Service. (ao) [Entry date 11/20/98]

11/20/98 -- REMARK - Docs #23 & #24 to PRSLC. (ao) [Entry date 11/20/98]

11/23/98 25 ORDER by Judge A. R. Caputo Case reassigned to Judge Yvette Kane (cc: all counsel) (ps) [Entry date 11/23/98]

12/30/98 26 NOTICE by petitioner Keith Crosby OF CHANGE OF ADDRESS to FCI-Allenwood. (ao) [Entry date 12/30/98]

12/30/98 -- REMARK - Doc #26 to PRSLC. (ao) [Entry date 12/30/98]

2/10/99 27 MEMORANDUM AND ORDER by Judge Yvette Kane IT IS ORDERED THAT: 1) The petition for writ of habeas corpus is denied. 2) All pending mtns in this case are denied as moot. 3) The Clerk of Court is directed to close this case. 4) Based on the Court's conclusion herein, there is no basis for the issuance of a certificate of appealability. Case terminated (cc: all counsel, Ct., PRSLC & Security) (jh) [Entry date 02/11/99]

2/11/99 -- REMARK - Document 27 sent to Scranton. (jh) [Entry date 02/11/99]

2/12/99 -- REMARK - File sent to CFR (Doc.11 missing from file). (fj) [Entry date 02/12/99]

2/16/99 -- REMARK - Doc #27 received in Scr and placed w/file in CFR (jb) [Entry date 02/16/99]

Case Flags:

TERMED
PROSE
PRSLC

END OF DOCKET: 1:97cv1112

PACER Service Center			
Transaction Receipt			
07/13/2001 17:08:38			
PACER Login:	us4890	Client Code:	
Description:	docket report	Search Criteria:	1:97cv01112
Billable Pages:	5	Cost:	0.35

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

KEITH CROSBY, :
Petitioner : Civil No. 1:CV-00-2211
v. : (Judge Kane)
MICHAEL ZENK, :
Respondent :

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

That this 16th day of July, 2001, she served a copy of the attached

EXHIBITS IN SUPPORT OF RESPONSE TO
PETITION FOR WRIT OF HABEAS CORPUS

by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania.

ADDRESSEE:

Keith Crosby
Reg. No. 29802-066
FCI Allenwood
P.O. Box 2000
White Deer, PA 17887


ANITA L. LIGHTNER
Paralegal Specialist